IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 6201 of 2007(L)

PETITIONER:

K.P. MAYIN, KURUDAMPOYIL HOUSE,
P.C. PALAM P.O., NARIKKUNI (VIA),
KOZHIKODE.

BY ADV. SRI.O.D.SIVADAS

RESPONDENTS:
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1. THE DEPUTY TAHSILDAR (REVENUE RECOVERY)
KOZHKODE.

2. THE VILLAGE OFFICER, KAKKOOR.

3. THE REGIONAL TRANSPORT OFFICER,
KOZHIKODE.

BY GOVERNMENT PLEADER SMT. M.K.PUSHPALATHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.6201 OF 2007-L

Judgment

The petitioner has approached this Court, challenging Exts.P1 and P2 revenue recovery notices, proposing to recover an amount of Rs.50,580/- towards motor vehicles tax due from him. According to him, those notices were not preceded by any demand notice under the Motor Vehicles Taxation Act. Without serving any demand notice, straight away, the revenue recovery proceedings are initiated against him, it is submitted.

2. The learned Government Pleader made available to me, the file leading to the issuance of Exts.P1 and P2. It is seen from the file that the petitioner has been served with a demand notice and against the said notice he filed an appeal before the Deputy Transport Commissioner. The appeal was dismissed by order dated 01.08.2005. Thereafter, the petitioner has been served with a demand notice dated 08.02.2006. Still later, the Taxation Officer addressed the District Collector by communication dated 29.03.2006, to collect from the petitioner, an amount of Rs.50,580/-. In view of the above facts disclosed by the file, the contention raised by the petitioner is plainly wrong. Accordingly, the Writ Petition fails and it is dismissed with costs.

02.04.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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